

35-O-22

AN ORDINANCE

**Selling a Vacated Portion of Public Land East of Central Park Avenue,
North of Payne Street, to an Abutting Owner at 2949 Payne Street**

WHEREAS, Chris and Holly Pickering, owners of real property located at 2949 Payne Street, have agreed to compensate the City in an amount which, in the judgment of the corporate authorities, is the fair market value, for a portion of vacated public land east of Central Park Avenue, north of Payne Street, in the City of Evanston (“Subject Property”), which is adjacent to part of Property Index Number (“PIN”) 10-11-410-016-0000; and

WHEREAS, this portion of public land north of Payne Street, east of Central Park Avenue, serves no public purpose; and

WHEREAS, Chris and Holly Pickering are the owners of the property located at 2949 Payne Street a portion of which lies east of and adjacent to the Subject Property; and

WHEREAS, Chris and Holly Pickering desire to acquire the vacated property and incorporate it into 2949 Payne Street; and

WHEREAS, Chris and Holly Pickering will add the Subject Property into their property and do hereby agree to provide a high level of maintenance of the property;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:**

SECTION 1: The certain portion of public land east of Central Park Avenue, north of Payne Street, legally described as:

THE EAST HALF OF THE 20 FOOT WIDE ALLEY LYING WEST OF AND ADJOINING LOT 13 AND NORTH OF THE NORTH LINE OF LOT 11 EXTENDED EAST TO THE WEST LINE OF LOT 13, ALSO ALL OF THE 20 FOOT WIDE ALLEY LYING EAST OF AND ADJOINING LOTS 11 AND 12 AND WEST AND ADJOINING LOT 13 SOUTH OF THE NORTH LINE OF LOT 11 EXTENDED EAST TO THE WEST LINE OF LOT 13, IN BLOCK 1 OF DAVID F. CURTIN'S SECOND ADDITION TO LINCOLNWOOD IN SECTION 11, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

And depicted in the Plat of Vacation, attached hereto as Exhibit 1, is vacated and closed, inasmuch as the corporate authorities of the City of Evanston have determined that the public interest will be served by the aforesaid vacation, provided that said vacation shall be subject to the following terms and conditions:

1. Said vacation shall be subject to the usual easements for public utilities, including, but not limited to, such rights-of-way, license and easement rights to such equipment as is presently installed and located on those portions of the public right-of-way hereby closed and the rights of ingress and egress for the maintenance, renewal and reconstruction thereof.
2. Said vacated property shall be conveyed to Chris and Holly Pickering upon their payment to the City of Evanston the sum of twenty three thousand seven hundred seventeen dollars and twenty cents (\$23,717.20).
3. In the event of litigation, Chris and Holly Pickering will hold the City of Evanston harmless and defend it against any lawsuits resulting from the subject vacation.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of Ordinance 35-O-22 or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid application of this Ordinance is severable.

SECTION 4: Ordinance 35-O-22 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: 4/25, 2022

Approved:

Adopted: 5/9, 2022

5/17, 2022

Daniel Biss

Daniel Biss, Mayor

Attest:

Stephanie Mendoza

Stephanie Mendoza, City Clerk

Approved as to form:

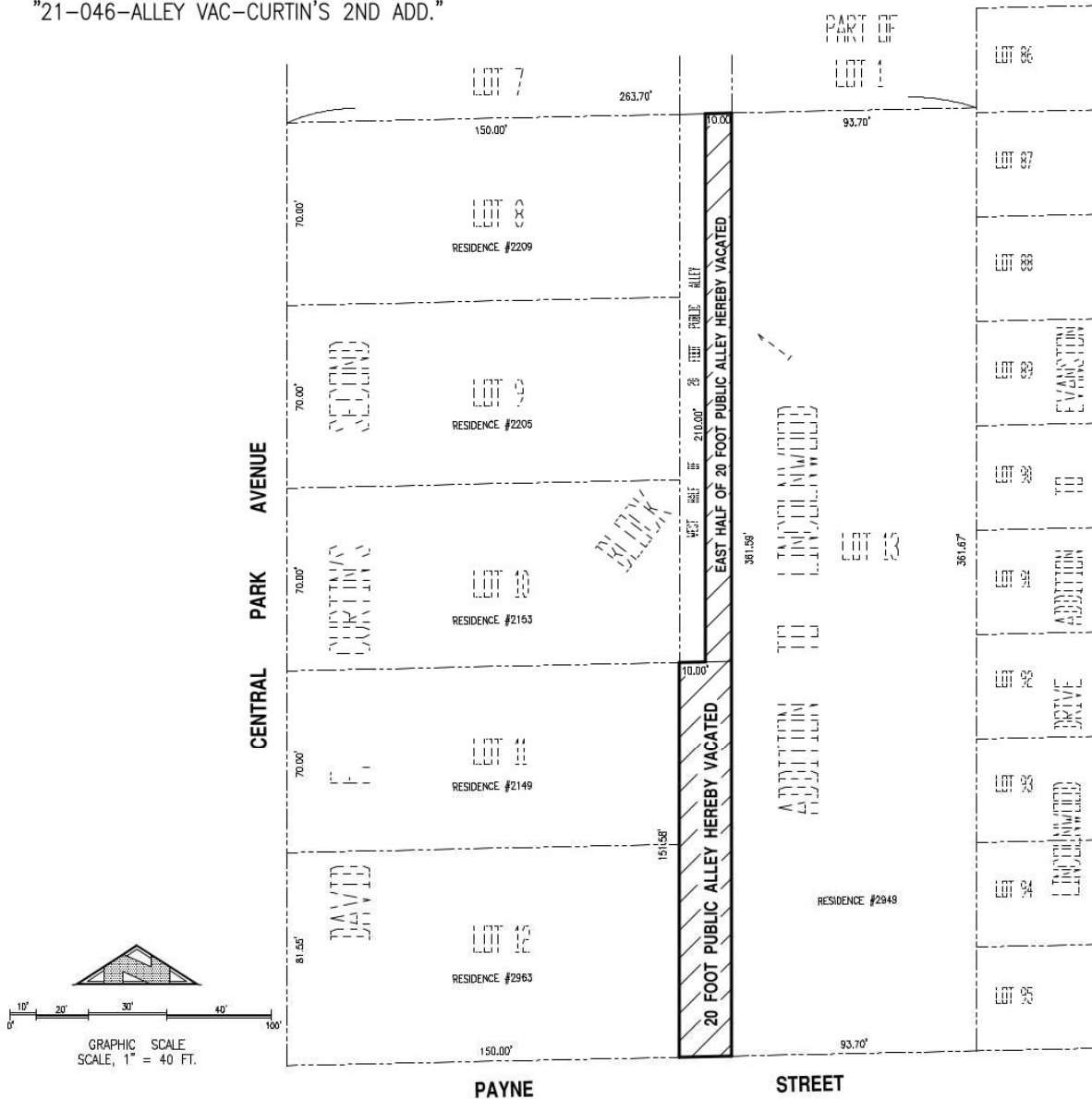
Nicholas E. Cummings

Nicholas E. Cummings, Corporation Counsel

EXHIBIT 1
PLAT OF VACATION

ALLEY VACATION-EXHIBIT E

REFERENCED TO PLAT OF VACATION
 "21-046-ALLEY VAC-CURTIN'S 2ND ADD."



LEGAL DESCRIPTION:
 THE EAST HALF OF THE 20 FOOT WIDE ALLEY LYING WEST OF AND ADJOINING LOT 13 AND NORTH OF THE NORTH LINE OF LOT 11 EXTENDED EAST TO THE WEST LINE OF LOT 13, ALSO ALL OF THE 20 FOOT WIDE ALLEY LYING EAST OF AND ADJOINING LOTS 11 AND 12 AND WEST AND ADJOINING LOT 13 SOUTH OF THE NORTH LINE OF LOT 11 EXTENDED EAST TO THE WEST LINE OF LOT 13, IN BLOCK 1 OF DAVID F. CURTIN'S SECOND ADDITION TO LINCOLNWOOD IN SECTION 11, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
 AREA OF DESCRIBED PARCEL = 5,132 SQUARE FEET MORE OR LESS

COMMONLY KNOWN AS:
PUBLIC ALLEY LYING EAST OF 2149 CENTRAL PARK AVENUE & 2963 PAYNE STREET, AND WEST OF 2949 PAYNE STREET, EVANSTON, ILLINOIS.

LAND SURVEYOR'S CERTIFICATE:
 STATE OF ILLINOIS
 COUNTY OF COOK



B. H. SUHR & COMPANY, INC., does hereby certify that it has prepared this Exhibit from existing records, plats and plans.

Dated at Northbrook, Illinois, this 22nd day of February, 2022 A.D.

Raymond R. Hansen

RAYMOND R. HANSEN
 Illinois Professional Land Surveyor No. 035-002542
 License Expiration Date 11/30/22

B.H. SUHR & COMPANY, INC.
 SURVEYORS ESTABLISHED 1911
 450 SKOKIE BLVD. SUITE 105, NORTHBROOK, ILLINOIS, 60062
 TEL. (847) 864-6315 / FAX (847) 864-9341
 E-MAIL: SURVEYOR@BHSUHR.COM
 Professional Design Firm License No. 184.008027-0008

LOCATION: 2149-2209 CENTRAL PARK SURVEY DATE: FEBRUARY 22 20 22
 ORDER No. 21-046-A-ALLEY VAC-EXHIBIT E
 REVISED ORDERED BY: CITY OF EVANSTON - CHRIS VENATTA

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